

Article - Health - General

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§21-419.

(a) Except as otherwise provided in this subtitle and in the Administrative Procedure Act, before the Secretary denies an application for a permit or takes any action under § 21-418 of this subtitle, the Secretary shall give the person against whom the action is contemplated an opportunity for a hearing before the Secretary.

(b) Except as otherwise provided in this section, the Secretary shall give notice and hold the hearing in accordance with the Administrative Procedure Act.

(c) (1) Within 48 hours after the person receives notice of the Secretary's action, a person whose permit has been suspended or who has received a notice that the Secretary intends to suspend the permit may request a hearing.

(2) Within 72 hours after receiving the request for a hearing, the Secretary shall hold the hearing.

(d) If after due notice the person for whom the hearing is held fails or refuses to appear, nevertheless the Secretary may hear and determine the matter.

(e) A person aggrieved by a final decision of the Secretary in a contested case, as defined by the Administrative Procedure Act, may take a direct judicial appeal.

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